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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/727,991	11/30/2000	Chung Liu	PALM-3234	6299

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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/727,991

Applicant(s)

LIU, CHUNG

Examiner

Hussein A El-chanti

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

1. This action is responsive to application filed on Nov. 30, 2000. Claims 1-27 are pending examination.

### *Drawings*

2. Formal Drawings are required to be submitted by the applicant.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12, 16 and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Multer et al., U.S. Patent No. 6,671,757 (referred to hereafter as Multer).

As to claim 1, Multer teaches a method of updating a plurality of applications located on a first electronic device over a communication network including a second electronic device and third electronic device (see col. 3 lines 32-55 where the second system represents said first electronic device, the data store represents said second electronic device and the first system represents said third electronic device), comprising the steps of:

a) automatically establishing communication between said second and third electronic devices, said third electronic device supporting a first application from said plurality of applications (see col. 4 lines 19-30, where the server represents said second electronic device);

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b) automatically determining if said third electronic device has a newer version of said first application than the version of said first application located on said first electronic device (see col. 4 lines 19-30);

c) automatically sending to said second electronic device said newer version of said first application if said third electronic device has said newer version (see col. 4 lines 19-30); and

d) automatically storing said newer version of said first application on said first electronic device when synchronizing said first electronic device with said second electronic device, wherein first electronic device is coupled to said second electronic device for synchronization (see col. 4 lines 19-30).

As to claim 2, Multer teaches a method as described in Claim 1, wherein said first electronic device comprises a palm sized computer system (see col. 9 lines 46-67).

As to claim 3, Multer teaches a method as described in Claim 1, wherein said second electronic device comprises a host computer system (see col. 4 lines 19-30).

As to claim 4, Multer teaches a method as described in Claim 1, wherein step d) comprises the further step of docking said first electronic device to a cradle, said cradle coupled to said second electronic device (see fig. 6, 7 and 17 and its corresponding illustration).

As to claim 5, Multer teaches a method as described in Claim 1, wherein said third electronic device dynamically creates said newer version of said first application (see col. 4 lines 5-18).

As to claim 6, Multer teaches a method as described in Claim 1, wherein said third electronic device comprises at least one of the following devices:

- a remote server computer system,

- a remote computer system,

- said second electronic device, and a computer directly coupled to said second device (see col. 3 lines 59-62).

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As to claim 7, Multer teaches a method as described in Claim 1, wherein said first application comprises a web clipping application (see col. 7 lines 61-col. 8 lines 10).

As to claim 8, Multer teaches a method as described in Claim 1, wherein said newer version is personalized to a user of said first electronic device (see col. 12 lines 58-col. 13 lines 10).

As to claim 9, Multer teaches a method as described in Claim 1, wherein a conduit program associated with said first application, directs steps a), b), c), and d) (see col. 4 lines 19-30).

As to claim 10, Multer teaches a method as described in Claim 9, wherein said conduit program is activated by synchronizing said first electronic device with said second electronic device, wherein steps a), b), c), and d) occur during the synchronization of said first and second electronic devices (see col. 4 lines 19-30).

As to claim 11, Multer teaches a method as described in Claim 1, wherein steps a), b), and c) occur before synchronizing said first electronic device with said second electronic device (see col. 4 lines 19-30).

As to claim 12, Multer teaches a method of creating a personalized and up-to-date application over a communication network comprising the steps of:

a) receiving at a third electronic device from a second electronic device over said communication network a request for a newer version of a web clipping application, said request resulting from synchronizing said second electronic device with a first electronic device and determining that said third electronic device has said newer version than the version of said web clipping application located on said first electronic device, said first electronic device coupled to said second electronic device (see col. 4 lines 19-30, where the server represents said second electronic device);

b) identifying a user associated with said first electronic device (see col. 35 lines 39-49);

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c) accessing information particular to said user (see col. 4 lines 19-30, where the server represents said second electronic device);

d) dynamically creating an up-to-date web clipping application that is personalized to said user using said information (see col. 4 lines 19-30, where the server represents said second electronic device); and

e) sending said personalized and up-to-date web clipping application to said second electronic device (see col. 7 lines 61-col. 8 lines 10).

As to claim 16, Multer teaches a method as described in Claim 12, wherein a conduit program associated with said web clipping application that is activated when synchronizing said first electronic device with said second electronic device comprises the following steps of:

determining if said third electronic device has said newer version (see col. 35 lines 12-65);

sending said request to said third electronic device (see col. 35 lines 12-65);

sending user identification information to said third electronic device, said user associated with said first electronic device (see col. 35 lines 12-65); and

storing said personalized and up-to-date web clipping application on said first electronic device (see col. 35 lines 12-65).

As to claim 17, Multer teaches a system comprising a first electronic device containing a plurality of applications, a second electronic device coupled to a communication network, said second electronic device including a processor, a memory unit, and a display screen wherein said memory contains instructions that when executed implement of method of updating said plurality of applications, said method comprising the steps of:

a) automatically establishing communication with a third electronic device coupled to said communication network that supports a first application from said plurality of applications (see col. 4 lines 19-30, where the server represents said second electronic device);

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b) automatically determining if said third electronic device has a newer version of said first application than the version of said first application located on said first electronic device (see col. 4 lines 19-30);

c) automatically sending to said second electronic device said newer version of said first application if said third electronic device has said newer version (see col. 4 lines 19-30); and

d) automatically storing said newer version of said first application on said first electronic device when synchronizing said first electronic device with said second electronic device, wherein first electronic device is coupled to said second electronic device for synchronization (see col. 4 lines 19-30).

4. Claims 13-15 and 18-27 do not add or define any additional limitations over claims 1-12, 16 and 17 and therefore are rejected for similar reasons.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Application-Independent Data Synchronization Technique by Ims et al., U.S. Patent No. 6,505,200.
- Method And Mechanism For Synchronized Updating Of Interoperating Software by Donohue, U.S. Patent No. 6,202,207.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A El-chanti whose telephone number is (703)305-4652. The examiner can normally be reached on Mon-Fri 8:30-5:00.

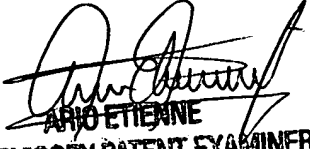
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Hussein El-chanti

Jan. 22, 2004

  
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